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Docket No. SPO-116 Serial No. 10/070,569

In the Claims:

This listing of claims replaces all prior versions and listing of claims in the application:

- (currently amended) A method of screening for detecting early cancer, comprising the steps of:
 - (a) measuring the level of a human midkine protein or a human midkine protein that lacks a domain near the N terminus or both, in a body fluid using a one step sandwich onzyme immunoassay and,
 - (b) comparing the measured level obtained in step a) to a control human midkine protein level of a healthy subject, wherein an elevated measured level as compared to the control level indicates the presence of early cancer, wherein early cancer comprises cancer at stage 0 or stage I of the TNM classification.
- 2. (original) The method according to claim 1, wherein the early cancer is gastric cancer.
- 3. (original) The method according to claim 2, wherein the gastric cancer is at stage I.
- 4. (original) The method according to claim 1, wherein the early cancer is hepatocellular carcinoma.
- 5. (original) The method according to claim 4, wherein the hepatocellular carcinoma is at stage I.
- 6. (original) The method according to claim 1, wherein the early cancer is lung cancer.
- 7. (original) The method according to claim 6, wherein the lung cancer is at stage I.

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- 8. (previously presented) The method according to claim 1, wherein the body fluid is seems or urine.
- 9. (currently amended) A method of screening for detecting early cancer comprising to steps of:
 - (a) contacting a body fluid with a pair of antibodies that specifically bind to a human midkine in a body fluid protein, a human midkine protein that lacks a domain to the N terminus, or both, wherein one of said antibodies comprises an avian antibody, and
 - (b) comparing the level of binding between the antibodies and the human middine protein, a fragment thereof, or both of step (a) to a control binding level of a healthy subject, wherein an elevated binding level as compared to the control level indicates the presence of early cancer, wherein early cancer comprises cancer at stage 0 or stage I of the TNM classification.
- 10. (withdrawn) A diagnostic agent for early cancer comprising an antibody that recognizes midkine, a fragment thereof, or both.
- 11. (withdrawn). A kit for detecting early cancer in a biological sample, wherein (a) the kit comprises a container that holds an antibody that specifically binds to at least one epitope of midkine, a fragment thereof, or both and (b) the antibody determines the presence of midkine, a fragment thereof, or both in the biological sample.
- 12. (withdrawn). The kit according to claim 11, wherein the antibody is adsorbed onto a solid.

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- 13. (currently amended) A method for assessing cancer prognosis, comprising the steps of
 - (a) measuring the level of a human midkine protein, a human midkine protein that lacks a domain near the N terminus, or both in a body fluid both before and after tumor treatment using a one-step sandwich enzyme immunoassay (EIA), comparing the level measured after treatment to a level measured before treatment, and
 - (b) correlating a difference in the measured levels to cancer prognosis, wherein a reduction in measured level after treatment is indicative of successful therapy treatment and positive prognosis.
- 14. (original) The method according to claim 13, wherein the cancer is gastric cancer, hepatocellular carcinoma, or lung cancer.
- 15. (currently amended) The method according to claim 1, wherein human midkine levels are measured using a the-one-step sandwich enzyme immunoassay that includes an avian anti-human midkine antibody and a rabbit anti-human midkine antibody.
- 16. (currently amended) The method according to claim 13, wherein human midkine levels are measured using a the one-step sandwich enzyme immunoassay that includes an avian anti-human midkine antibody and a rabbit anti-human midkine antibody.

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